

**REMARKS**

Claims 1-6 and 11-23 are now pending in the application. Applicants acknowledge Examiner's indication of allowable subject matter in claims 2 and 11-23 with thanks. Claim 2 has been rewritten in independent form to include the limitations of the base claim. Claims 7-10 have been cancelled. Claim 18 has been amended to correct a typographical error. Claims 1-10 stand rejected under 35 U.S.C. §102 as being anticipated by Snell. This rejection is respectfully traversed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

**SPECIFICATION**

The specification stands objected to for certain informalities. Specifically, the Examiner has objected to an inconsistency in terminology between the specification and the claims with respect to the use of the word "trunion" in the specification and "collar" in the claims. Applicants direct the Examiner's attention to the third line of paragraph [0033], where the terms "collar or trunion 70" are introduced as being interchangeable. "Trunion" is used by itself through the remainder of the specification for clarity. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

**REJECTION UNDER 35 U.S.C. § 112**

Claims 1-10 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Claim 1 stands rejected for claiming a rod disposed between the column members and received by a sleeve, when such is not the case. Applicants direct Examiner's attention to paragraph [0024] and Figure 1, wherein rod 18 is disclosed as being connected to each of the column members 10, 12. Withdrawal of the rejection of claim 1, and of claims 2-6, which depend from claim 1, and reconsideration and reexamination of the claims, is respectfully requested. Claims 7-10 having been cancelled, the rejection should be considered moot, and its withdrawal is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 102**

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Snell (U.S. Pat. No. 6,167,777). This rejection is respectfully traversed.

It is well established that for a claim to be anticipated by a reference, each and every element of the claim must be found within that reference. That is not the case here. Snell discloses a tiltable steering column lock mechanism for retaining upper and lower column members in selected position of adjustment, including a rod and sleeve, the sleeve having opposed slots for receiving a shaft therethrough, the rod received by and slidable along a longitudinal axis within the sleeve. The sleeve is rotatable relative to the rod and is rotationally biased about the rod by a spring secured at a first end to the sleeve and at a second end to the shaft. Snell does not disclose a collar journaled around the sleeve and including diametrically opposed bores for receiving the shaft. Snell also does not disclose that a mounting portion includes a snap ring journaled around the sleeve.

Claim 1 requires a collar journaled around the sleeve. This element is not found in Snell. Examiner has pointed out element 25 of Snell as being a collar. The element 25 shown in Snell comprises ears depending from column member 10 for attaching the locking mechanism to the column member. These ears 25 cannot properly be construed as a collar, nor are they journaled around the sleeve, as required by claim 1.

Claim 6 requires a mounting portion including a snap ring journaled around the sleeve. This element is not found in Snell. The element 50 cited by the Examiner is a wire connected to a handle depressible by a user to rotate the sleeve, thereby unlocking the mechanism.

Because Snell does not disclose the elements of claims 1 and 6 recited above, the claims cannot be anticipated by Snell. Claims 3-5, which depend either directly or indirectly from claim 1, also cannot be anticipated. Therefore, withdrawal of the rejections, and reconsideration and reexamination of the claims, is respectfully requested.


#### **ALLOWABLE SUBJECT MATTER**

The Examiner states that claim 2 would be allowable if rewritten in independent form. Accordingly, Applicants have amended claim 2 to include the limitations of the base claim and any intervening claims. Therefore, claim 2 should now be in condition for allowance. Claims 11-23 stand allowed.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 944-6522.

Respectfully submitted,

By:   
Donald J. Wallace  
Reg. No. 48,977  
Attorney for Applicant

Dated: 1/28/2004

CIMS 483-02-19  
DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION  
800 CHRYSLER DRIVE  
AUBURN HILLS, MI 48326-2757  
248-944-6522